

**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

MARCH 27, 2006

MEMBERS PRESENT: Emery Zahner(left at 9:00pm), Cliff Aucter, Geri Kupecky, Lori Spielman, Arlo Hoffman and Alternate Carol Strom

MEMBERS ABSENT: Bob Hoffman and Alternates James Prichard, Joe Wehr

STAFF PRESENT: Robert A. Phillips, Town Planner and Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Zahner called the Planning & Zoning Commission (PZC) meeting to order at 7:02 PM at the Ellington Town Hall Annex Meeting Room, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

1. #Z200542 – Landmark Surveys, LLC for a zone change to C Zone on property located at 298 Somers Road, APN 083-002-0000 in an RA Zone. (Continued from the February 27, 2006 meeting)

TIME: 7:03

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Per the request of the applicant this application was withdrawn.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200542 – LANDMARK SURVEYS, LLC.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO ACCEPT A WITHDRAWAL FOR #Z200542 – LANDMARK SURVEYS, LLC.

2. #S200515 – Landmark Surveys, LLC for a 4 lot subdivision on property located on Webster Road, APN 126-002-0000 in a RA Zone. (Continued from the February 27, 2006 meeting)

TIME: 7:05

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Per the request of the applicant this application was continued to the April 24, 2006 meeting.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT APPLICANT EXTENSION AND CONTINUE THE PUBLIC HEARING TO THE APRIL 24, 2006 MEETING FOR #S200515 – LANDMARK SURVEYS, LLC.

3. #Z200607 – Landmark Surveys, LLC for special permit and site plan modification for a 50' x 70' office addition, a 50' x 20' garage addition to existing auto body shop, parking expansion and associated improvements on property located at 408 Somers Road, APN 121-029-0000 in an I Zone. (Continued from the February 27, 2006 meeting)

TIME: 7:06

SEATED: L. Spielman, C. Strom, E. Zahner, A. Hoffman – (G. Kupecky & C. Aucter Abstained)

Rachel Dearborn, Landmark Surveys, came forward to review the plan. She explained that they are looking for permission to place two more cars that would be 30' away from the road. The commission stated that they wanted to be consistent with displayed vehicles within the front yard setbacks.

MOVED (A. HOFFMAN), SECONDED (STROM) AND PASSED UNANIMOUSLY TO GRANT APPLICANT EXTENSION AND CONTINUE THE PUBLIC HEARING TO THE APRIL 24, 2006 MEETING FOR #Z200607 – LANDMARK SURVEYS, LLC.

4. #Z200610 – Sudhakar Nagardeolekar for a special permit for an accessory apartment on property located at 2 Tyler Drive, APN 021-031-0004 in an A Zone.

TIME: 7:15

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Sudhakar Nagardeolekar, Russell & Dawson came forward to review the plan. The commission was concerned with how this accessory apartment was only connected by one door. Mr. Nagardeolekar stated that this was the only way they could do it.

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200610 – SUDHAKAR NAGARDEOLEKAR.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE #Z200610 – SUDHAKAR NAGARDEOLEKAR.

5. #Z200611 –Thompson Family Land Trust for a special permit for renewal of earth excavation permit on property located on Sadds Mill Road, APN 136-001-0000 in an RA Zone.

TIME: 7:20

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Rachel deRham came forward for the application. The gravel operation is almost ready to be completed.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200611 – THOMPSON FAMILY LAND TRUST.

MOVED (SPIEMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE #Z200611 – THOMPSON FAMILY LAND TRUST.

6. #Z200613—Ellington Planning and Zoning Commission for a Zone Change from PC Zone to A Zone on properties located at 2 Olde Farms Road, APN 063-058-0000 and 4 Olde Farms Road, APN 063-058-0001; from PC & A Zones to A Zone on properties located at 120 Main Street, APN 063-055-0000 and 265 Pinney Street, APN 063-057-0000; from RA & A Zones to A Zone at properties located at 92 Main Street, APN 063-047-0000, 98 Main Street, APN 063-048-0000, 100 Main Street, APN 063-049-0000, 102 Main Street, APN 063-050-0000, 108 Main Street, APN 063-051-0000, 114 Main Street, APN 063-053-0000, 116 Main Street, APN 063-054-0000 and 6 Olde Farms Road, APN 063-059-0000.

TIME: 7:25

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Town Planner Robert Phillips explained the reason for the change. He explained that there was a zone error in the subdivision when it was submitted.

Several members of the public expressed their concern with the zone change.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200613 – PLANNING & ZONING COMMISSION.

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE #Z200610 – PLANNING & ZONING COMMISSION.

EFFECTIVE DATE: APRIL 15, 2006

7. #S200602 – Cantor & Goldfarb Partnership for a 2 lot subdivision on property located at 1 Webster Road, APN 096-007-0000 in an RA Zone

TIME: 7:45

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Eric Peterson, Gardner & Peterson, came forward to review the application. They are creating 2 additional lots and revising lot lines. The parcels are 3 acres a piece and there will be a 3.8 acre conservation easement on the property.

Chairman Zahner read Buck & Buck's letter dated 2/27/06.

MOVED (A. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE APRIL 24, 2006 MEETING #S200602 – CANTOR & GOLDFARB.

8. #Z200612 – West Meadow Associates, LLC for site plan modification for a 120' x 60' commercial building and associated improvements on property located at 100 West Road, APN 028-010-0000 in a C Zone.

TIME: 7:55

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

Jeff Gerber, 100 West Road came forward to review the application he explained why they needed more space.

Chairman Zahner read Buck & Buck's letter dated 3/27/06.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200612 – WEST MEADOW ASSOCIATES, LLC.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE #Z200612 – WEST MEADOW ASSOCIATES, LLC.

9. #Z200604 - Big Y Foods, Inc. for an amendment to the Ellington Zoning Regulations, Section 7.7b(5) Attached Signs Permitted in the C, PC, I and IP Zones.

TIME: 8:03

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

John Jenza came forward to explain the application. They wanted additional signage consistent with their business plan.

Several members of the public expressed concern with the project.

MOVED (SPIELMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200604 – BIG Y FOODS, INC.

MOVED (A. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE #Z200604 – BIG Y FOODS, INC.

EFFECTIVE DATE: APRIL 15, 2006

10. #Z200608 – Christopher Libby for a site plan modification for construction of 17,000 square feet of commercial space for a self storage facility and associated office space, retail space, modification of existing bar and grill and associated site improvements on property located at 117 Stafford Road, APN 148-087-0000 and 137 Stafford Road, APN 148-084-0000 in a C Zone.

TIME: 8:25

SEATED: L. Spielman, E. Zahner, C. Aucter, C. Strom, A. Hoffman, G. Kupecky

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED (C. AUCTER) TO POSTPONE THE OPENING OF THE PUBLIC HEARING TO THE APRIL 24, 2006 MEETING FOR #Z200608 – CHRISTOPHER LIBBY.

VII. NEW BUSINESS:

1. Request for a 90-day extension to file subdivision mylars for the Hall Subdivision, #S200514.

MOVED (SPIELMAN), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO GRANT A 90-DAY EXTENSION TO FILE MYLARS FOR THE HALL SUBDIVISION, #S200514.

2. Request for a second 90-day extension to file subdivision mylars for the MacVarish Resubdivision, #S200507.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT A SECOND 90-DAY EXTENSION TO FILE MYLARS FOR THE MACVARISH RESUBDIVISION, #S200507.

3. Request for a five year extension to complete site plan improvements for Phase 2 of a commercial complex on property located at 290 Somers Road.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO GRANT A 5 YEAR EXTENSION TO COMPLETE SITE PLAN IMPROVEMENTS FOR PHASE 2 LOCATED AT 290 SOMERS ROAD..

4. #Z200614—Gale Construction for a special permit for renewal of earth excavation permit on property located at 90 Sadds Mill Road, APN 079-002-0000 in an A Zone. (RECEIPT ONLY)

BY CONSENSUS, THE COMMISSION RECEIVED #Z200614.

5. Request to change status of the Ellington Highlands Subdivision, Phase 4 from Conditional to Final Approval.

MOVED (SPIELMAN), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO GRANT A REQUEST TO CHANGE STATUS FROM PHASE 4 TO FINAL APPROVAL FOR ELLINGTON HIGHLAND SUBDIVISION WITH CONDITION.

CONDITION: MUST COMPLY WITH TOWN ENGINEER'S LETTER DATED JULY 18, 2005.

6. Request for a Bond Reductions for the Ellington Highland Subdivision, Phases 1, 2 & 3.

THIS ITEM WAS TABLED TO THE APRIL 24, 2006 MEETING

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE A REQUEST FOR A 90-DAY EXTENSION TO FILE MYLARS ON THE LAND RECORDS FOR DEER VALLEY, (S200513).

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE A 90-DAY EXTENSION TO FILE MYLARS FOR DEER VALLEY, (S200513).

MOVED (SPIELMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE AND RECEIVE #Z200615 – SADDs MILL ASSOCIATES FOR SITE PLAN APPROVAL AND SPECIAL PERMIT FOR EARTH EXCAVATION. #Z200616 – DECARLI REVOCABLE TRUST FOR SPECIAL PERMIT FOR EARTH EXCAVATION AND #Z200614 GALE CONSTRUCTION INC. FOR A SPECIAL PERMIT FOR EARTH EXCAVATION.

VI. UNFINISHED BUSINESS:

1. #Z200606 – Robert Evaristo for site plan approval for proposed parking and signage on property located at 304 Somers Road, APN 083-004-0000 in an RA Zone.

Robert Evaristo came forward for the application.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #Z200606 – ROBERT EVARISTO.

VII. ADMINISTRATIVE BUSINESS:

1. Set the effective date for zone change from AA to MF on property located at 160 Windermere Ave, APN 026-002-0000 & 026-002-0033.

DUE TO A LACK OF QUORUM THIS ITEM WAS TABLED TO THE APRIL 24, 2006 MEETING

2. Discussion on final minor corrections to the zoning regulations and set deadline for final draft submittal for Commission sponsored comprehensive zoning amendment.

NO MOTIONS OR DECISIONS MADE

3. Designation of Zoning Enforcement Officer.

MOVED (KUPECKY), SECONDED (SPIEMAN) AND PASSED UNANIMOUSLY TO DESIGNATE LISA M. HOULIHAN AS ZONING ENFORCEMENT OFFICER.

4. Appointments to CRCOG Regional Planning Commission.

MOVED (SPIELMAN), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO APPOINT CLIFF AUCTER AND ALTERNATE CAROL STROM TO CRCOG REGIONAL PLANNING COMMISSION.

5. Discussion with commission regarding renewal of Connecticut Federation of Planning & Zoning Agencies membership.

BY CONSENSUS, THE COMMISSION DECIDED TO FORGO THE MEMBERSHIP.

6. Approval of Meeting Minutes:

February 15, 2006 Special Meeting Minutes

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 15, 2006 SPECIAL MEETING MINUTES WITH THE FOLLOWING CORRECTION: UNDER PLANNING & ZONING SPECIAL MEETING MINUTES CHANGE THE DATE FROM FEBRUARY 15, 2006 TO MARCH 15, 2006.

February 27, 2006 Regular Meeting Minutes

MOVED (SPIELMAN), SECONDED (STROM) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 27, 2006 REGULAR MEETING MINUTES.

Correspondence: **NONE**

VII. ADJOURNMENT:

**MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO ADJOURN
THE MEETING AT 9:30 PM.**

Respectfully Submitted,

Kristin Michaud
Recording Secretary